

**ORDINANCE COMMITTEE MEETING  
TUESDAY, FEBRUARY 9, 2010**

Chapter 82 – Purchasing

Water Department – DPW

Chapter 260-22 Parking Prohibited – Non motorized vehicles

Chapter 188-9 Dealers and Keepers of Shops for Second Hand Articles

Chapter 275- 50 B Temporary Signs

Misc. Traffic

Minutes



**CHICOPEE CITY COUNCIL**  
**ORDINANCE COMMITTEE**

ACCEPTED 3-9-10

**MEMBERS**

James Tillotson, Chairman  
George Moreau, Vice-Chairman  
Donald Demers  
Robert J. Zygarowski  
Timothy McLellan

**MINUTES**  
**February 9, 2010**

The following are the minutes of a public hearing held Tuesday, February 9, 2010 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

**Members Present:** Tillotson, Demers, Zygarowski, Moreau, McLellan

**Also Present** Councilor Laflamme, Councilor Krampits, Daniel Garvey (Associate City Solicitor), Kevin Corridan (Asst. City Solicitor) Stanley Kulig (DPW Superintendent), Mayor's Office Representative, Brian Salamon (Purchasing Agent) Mitchell Kuzdzal (Water Commissioner), Al Pinciak (Water Commissioner).

The meeting was called to order at 6:30 PM

**ITEM #1**

BE IT ORDAINED, that the City of Chicopee acting under the provisions of Massachusetts General Laws, as amended, and of any and every power and authority it thereunto enabling under its charter, hereby amends the Ordinances of the City of Chicopee by striking Chapter 82, and adding a new Chapter 82 as follows:

ARTICLE I Department of Purchases (§ 82-1 - § 82-15)

**§ 82-1 Title.**

A. This article is an ordinance establishing a Department of Purchases in the administrative service of the City of Chicopee, creating the office of City Purchasing Agent, setting forth the powers and duties of the City Purchasing Agent, establishing purchasing procedures and prescribing penalties for the violation of its provisions.

B. This article shall be known and may be cited as the "Purchasing Ordinance of the City of Chicopee."

**§ 82-2 Department of Purchases established. Adoption of the General Laws, Sound Business Practices.**

There is hereby established in the administrative service of the City of Chicopee the Department of Purchases and, in said Department, the office of City Purchasing Agent.

A. The City shall comply with M.G.L. Chapter 30B, as it may hereafter be amended, in the procurement and surplus disposition of those items to which said law applies, including the acquisition and disposition of Real Estate. Procurement and surplus disposition of items not subject to M.G. L. Chapter 30B shall be undertaken in accordance with the applicable statutes within which they fall, including M.G.L. Chapter 30 § 39M, Chapter 149 and Chapter 7 §§ 38A1/2 to 38O.

B. The City shall exercise sound business practices for all purchases.

#### § 82-3 City Purchasing Agent.

##### A. DUTIES

The City Purchasing Agent shall be the head and shall have general supervision of the Department of Purchases. He shall have all the powers and duties prescribed by this chapter. The City Purchasing Agent shall be the Chief Procurement Officer for the City as required by M.G.L. Chapter 30B.

##### B. SPECIFICATIONS.

(1) Appointment. The Purchasing Agent shall be appointed by the Mayor.

(2) Term of office. The term of office shall expire January 1, 1975. Subsequent terms of office shall be for a period of three (3) years.

(3) Experience requirements. The Purchasing Agent shall have had, prior to his appointment, at least five (5) years' experience in purchasing in a position of major responsibility such as purchasing agent, assistant purchasing agent, buyer or similar grade with public or business enterprises which operate on justified requisitions based on store control with perpetual inventories of stock on hand. He shall also have had a bachelor's degree from a four-year accredited college or university, preferably with a major in business administration, economics, commerce or some field of business.

(4) In the absence, inability to serve, removal, resignation or death of the Purchasing Agent, the Mayor shall designate the person who shall carry out the duties of the Purchasing Agent until his return or until his successor shall have been appointed, such appointment to be for the unexpired term of the Purchasing Agent.

(5) Bond. The City Purchasing Agent shall furnish bond for the faithful performance of his duties in a sum to be determined by the Mayor.

(6) Additional employees.

(a) There shall be established additional employees of the Central Purchasing Agency as follows:

[1] One (1) senior clerical assistant who shall be appointed by the Mayor and whose term of office shall be for a period of four (4) years.

[2] There may be Two (2) additional clerical assistants.

[3] One (1) Assistant Purchasing Agent who shall be appointed by the Mayor for a term of five (5) years and shall furnish bond for the faithful performance of his duties in a sum to be determined by the Mayor. The Assistant Purchasing Agent shall be under the direct supervision of the Purchasing Agent. He shall have at least two (2) years experience in purchasing with either public or private enterprises.

(b) The persons employed in the positions described herein shall be under the direct supervision of the Purchasing Agent.

### C. POWERS AND DUTIES OF PURCHASING AGENT

(1) Be responsible for the procurement and disposal of all supplies, materials, equipment and property for all departments and offices of the City, including contracts for construction, reconstruction or alteration of City buildings or property and any services incident thereto and all laws covered under the Uniform Procurement Act, M.G.L. Chapter 30 § 39M, Chapter 30B, Chapter 7 §§ 38A1/2 to 38O and Chapter 149. It shall be the responsibility of the Purchasing Agent to assure that all procurements subject to these statutes are conducted in accordance therewith.

Have authority to order or make inventories of the supplies, materials, equipment and furnishings of any department. Any department possessing excess or surplus personal property of any kind shall not sell, exchange, transfer or dispose thereof without first certifying such personal property as surplus to the Purchasing Agent; and, thereupon, the Purchasing Agent shall circularize all departments as to their needs for such surplus personal property, and if such need is determined, the Purchasing Agent may order transfer of such property from one department to another.

If the value of property to be disposed of is estimated to be more than \$5000.00, the Purchasing Department shall advertise for bids in a daily paper having a general circulation in the City for at least 2 consecutive weeks and shall award the sale of such property to the highest responsible bidder. If it is in the best interest of the City, the Purchasing Agent may reject any and all bids. When the value of the property to be sold is less than \$5000.00, the Purchasing Agent may, without advertising, dispose of the property in the best manner, using sound business practices.

All disposition of surplus property shall first be subject to a vote of the City Property Committee prior to the Purchasing Agent acting thereupon.

(2) Encouraging competitions. He shall discourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases and sales.

(3) Rules and regulations. He shall establish reasonable regulations and policies, not inconsistent with the statutes and this ordinance to carry out the duties of the office.

(4) Purchasing analysis. He shall keep informed of current developments in the field of purchasing, prices, market conditions and new products and secure for the city the benefits of research done in the field of purchasing by the Massachusetts Office of the Inspector General.

(5) Forms. He shall prescribe and maintain such forms as he shall find reasonably necessary to the operation of this chapter, provided that all such forms shall have the approval of the City Auditor prior to their enforcement.

(6) Standard nomenclature. He shall prepare and adopt a standard purchasing nomenclature for using agencies and suppliers.

(7) Vendors' catalog file. He shall prepare, adopt and maintain a vendors' catalog file. Said catalog shall be filed according to materials and shall contain descriptions of vendors' commodities, prices and discounts.

(8) Bulk purchase. He shall explore the possibilities of buying in bulk so as to take full advantage of discounts.

(9) Federal tax exemptions. He shall act so as to procure for the city all federal tax exemptions to which it is entitled.

(10) Cooperation with Auditing Department. He shall cooperate with the City Auditor so as to secure the maximum efficiency in budgeting and accounting.

(11) Disqualification of bidders. He shall have the authority, with the concurrence of the Mayor, to declare vendors who default on their quotations irresponsible bidders and to disqualify them from receiving any business from the municipality for a stated period of time.

#### § 82-4 Purchasing through Department required.

Except as herein provided or as may be specifically authorized by the Purchasing Agent or as specifically exempt under provisions of the laws of the commonwealth, it shall be unlawful for any city employee or official to purchase any supplies or services other than through the Purchasing Department and in accordance with this chapter.

#### § 82-5 Standardization and specification process.

A. There is hereby established in the administrative service of the City of Chicopee a standardization and specification process.

B. Process. In cooperation with the relevant department heads or their designees, the Purchasing Agent shall establish standards and specifications for the City of Chicopee.

C. Duties of Purchasing Agent. It shall be the duty of the Purchasing Agent:

(1) Classification: to classify all the supplies used by the various branches of the city government.

(2) Standardization: to establish as standards the minimum number of quantity, sizes and varieties of supplies consistent with the successful operation of the city government.

(3) Specifications: to assist in the preparation and approve all written specifications.

(4) Circulation: to make available to any interested party copies of such classifications, standardizations and specifications.

D. Effect of establishment. After its establishment, each standard specification shall, until revised, apply alike in terms and effect to every future purchase and contract for the supply described in such specifications; however, the Agent shall have the authority to exempt any using agency of the city if requested to do so for a valid purpose in writing by the head of the using agency.

E. Consultation with using agencies. The Agent shall consult with heads and other officials of the using agencies to determine their precise requirements and shall endeavor to prescribe those standards which meet the needs of the majority of such agencies.

F. Nature of specifications. All specifications shall be definite and certain and shall permit competition; provided, however, that the provisions of this subsection shall not apply to noncompetitive types and kinds of supplies

#### § 82-6 Conflict of interest.

A. The provisions of the Conflict of Interest Statute, MGL C. 268A, and Section 59 of the City Charter of the City of Chicopee shall prevail in matters pertaining to the conduct of city employees.

B. Gifts and gratuities. The Purchasing Agent and every officer and employee of the city are expressly prohibited from accepting, directly or indirectly from any person, firm, corporation or organization to which any purchase order or contract is or might be awarded any rebate, gift or anything of value whatsoever, except where given for the use or benefit of the City of Chicopee.

#### § 82-7 Construction Contracts

This section shall apply to all vertical construction projects awarded by the City of Chicopee.

1. The general contractor and all subcontractors under the general contractor shall make a good faith effort to employ local workers when qualified local workers are available for work.

2. The general contractor and all subcontractors under the general contractor must comply with the obligations established under M.G.L. c. 149 to pay the appropriate lawful prevailing wage rates to their employees.

3. The general contractor and all subcontractors under the general contractor must maintain appropriate industrial accident insurance coverage for all the employees on the project in accordance with M.G.L. c. 152.

4. The general contractor and all subcontractors under the general contractor must properly classify employees as employees rather than independent contractors and treat them

accordingly for purposes of workers' compensation insurance coverage, unemployment taxes, social security taxes, and income tax withholding. (See M.G.L. c. 149, §148B on employee classification).

5. Bids submitted by all general contractors and subcontractors whose total bid exceeds Two Million Dollars \$2,000,000.00 and all subcontractors whose total filed sub bid under M.G.L. Chapter 149 Section 44F exceeds Five Hundred Thousand \$500,000.00 shall at the time of bidding maintain or participate in a bona fide apprentice training program as defined by M.G.L. c.23, §§11H and 11I for each apprenticeable trade or occupation represented in their workforce that is approved by the Division of Apprentice Training of the Department of Labor and Workforce Development ("Division") and must register all apprentices with the Division and abide by the apprentice to journeyman ratio for each trade prescribed therein in the performance of any work on the project. All general contractors and subcontractors shall provide a certificate of compliance from the Division as part of their bid submittal and periodically thereafter as determined by the City of Chicopee.

6. The general contractor and all subcontractors under the general contractor must at the time of bidding certify that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration at the time the employee begins work. The general contractor and all subcontractors shall furnish documentation of successful completion at the time the employee begins work.

7. The general contractor and all subcontractors under the general contractor must at the time of bidding and throughout the duration of the construction contract furnish, at their expense, hospitalization and medical coverage for all their workers at a level not less than that available through the Massachusetts Health Care Connector. For purposes of this hospitalization and medical coverage requirement, a general contractor or subcontractor may satisfy this requirement by providing proof acceptable to the City of Chicopee that any or all of their workers are a covered person under a medical and hospitalization plan provided by a parent, spouse, partner or otherwise with coverage at a level not less than that available through the Massachusetts Health Care Connector.

8. All general contractor and subcontractors under the general contractor who are awarded or who otherwise obtain construction contracts with the City of Chicopee shall comply with all of the above detailed obligation at the commencement of the contract and throughout full contract period

9. Any general contractor or subcontractor under the general contractor who fails to comply with the obligation detailed above shall be subject to any one or more of the following sanctions as determined by the Building Commission and Purchasing Agent with the concurrence of the Mayor:

(1) Cessation of work on the project until compliance is obtained;

(2) Withholding of payment due under any contract or subcontract until compliance is obtained;

(3) Permanent removal from any further work on the project;

(4) Liquidated damages payable to the City of Chicopee in the amount of 5% of the dollar value of the contract.

10. If any provision of this ordinance, or the application of such provision to any person, entity or circumstances, shall be enjoined or held to be invalid, the remaining provisions of this section, or the application of such section to persons or circumstances, other than that which is enjoined or held invalid shall be not affected thereby.

§ 82-8 Formal contract procedure.

A. The City of Chicopee shall conform to state standards in all bidding processes to conform to state statute MGL C. 30B, §§ 4, 5, 6 and 7, to allow for procurement contracts up to ten thousand dollars (\$25,000.) to be made without the requirement for formal, advertised bidding, but do require three (3) written quotations from at least three (3) suppliers.

B. Every contract shall provide that an item equal to that named or described in said specifications may be furnished. An item shall be considered equal to the item so named or described if it is at least equal in quality, durability, appearance, strength and design; it will perform at least equally the function imposed by the general design for the work being contracted for or material being purchased; and it conforms substantially, even with deviations, to the detailed requirements for the item in said specification.

C. Bidders' list. The Agent shall also solicit sealed bids from all responsible prospective suppliers who have requested their names to be added to a bidders' list, which the Agent shall maintain, by sending them a copy of such newspaper notice or such notice as will acquaint them with the proposed purchase or sale. In any case, invitation sent to the vendors on the bidders' list shall be limited to commodities that are similar in character and ordinarily handled by the trade group to which the invitations are sent.

D. Bid deposits. When deemed necessary by the Agent, bid deposits shall be prescribed in the public notices inviting bids. Unsuccessful bidders shall be entitled to return of surety where the Agent has required such. A successful bidder shall forfeit any surety required by the Agent upon failure on his part to enter a contract within thirty (30) days after the award. All such bid deposits or other security shall be deposited with the City Treasurer.

E. Bid opening procedure.

(1) Sealed. Bids shall be submitted to the Purchasing Agent and shall be identified as bids on the envelope.

(2) Opening. Bids shall be opened in public at the time and place stated in the public notices.

(3) Tabulation. A tabulation of all bids received shall be posted for public inspection.

F. Rejection of bids.



(1) The Agent shall have the authority to reject all bids, parts of all bids or all bids for any one (1) or more supplies or contractual services included in the proposed contract when the public interest will be served thereby.

(2) Bidders in default to city. The Purchasing Agent, with the concurrence of the Mayor, may not accept the bid of a contractor who is in default on the payment of taxes, licenses or other moneys due the city.

#### G. Award of contract.

(1) Authority of Purchasing Agent. The Agent shall have the authority to award contracts within the purview of this chapter.

(2) Lowest responsible bidder. Contracts shall be awarded to the lowest responsible bidder. In determining the lowest responsible bidder, in addition to price, the Purchasing Agent shall consider:

(a) The ability, capacity and skill of the bidder to perform the contract or provide the service required.

(b) Whether the bidder can perform the service required and provide the service promptly or within the time specified, without delay or interference.

(c) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

(d) The quality of performance of previous contracts or services.

(e) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.

(f) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.

(g) The quality, availability and adaptability of the supplies or contractual services to the particular use required.

(h) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.

(i) The number and scope of conditions attached to the bid.

(3) Award to other than low bidder. When the award is not given to the lowest bidder, a full and complete statement of the reason for placing the order elsewhere shall be prepared by the Purchasing Agent and filed with the other papers relating to the transaction.

(4) Tie bids

(a) Local vendors. If all bids received are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to a local bidder.

(b) Outside vendors. Where Subsection G(4)(a) is not in effect, the Purchasing Agent shall award the contract to one (1) of the tie bidders by drawing lots in public.

(5) Performance bonds. The Purchasing Agent shall recommend to the Mayor the requirement for a performance bond, in accordance with the provisions of the City Charter of the City of Chicopee.

H. Prohibition against subdivision. No contract or purchase shall be subdivided to avoid the requirements of this section.

#### § 82-9 Cooperative purchasing.

The Purchasing Agent shall have the authority to join other units of government (federal, state, county, municipal and municipal subdivisions, including such quasi-municipal agencies as water districts, sewer districts, etc.) in cooperative purchasing plans when the best interest of the city would be served thereby and such action is in accordance with and pursuant to law.

#### § 82-10 Other duties of Agent.

The Purchasing Agent shall perform such other duties related to the functions, duties and authorities set forth herein as may be prescribed by the Mayor or any applicable state or local laws and ordinances.

#### § 82-11 Annual report.

The City Purchasing Agent shall submit to the Mayor and the Board of Aldermen an annual report on the work of his office in carrying out the provisions of this article.

Brian Salamon stated he would like to see the term of office back to six years. He's done two hundred million dollars worth of projects and nothings failed and he thinks he's earned at least a 6 year term.

Councilor Moreau stated that he would like to see the rights to confirm the Purchasing Agent.

Councilor Tillotson stated that we don't confirm a temporary appointment.

Committee vote        5 – 0 favorable.

#### **ITEM #2**

ORDAINED THAT, the City Council, acting under the provisions of Massachusetts General Laws as amended, the City Charter, and of any and every power and authority it thereunto enabling, hereby ordain the attached amendments to the Department of Public Works and Water ordinances contained in the City Code. Whereas the purpose of this ordinance change is to transfer direction and control of the Water Department to the Department of Public Works under the supervision of the Superintendent of Public Works.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICOPEE THE FOLLOWING AMENDMENTS TO SECTION 80 AND 269 OF THE CITY CODE.

Section 1. Section 80-3 of the City Code shall be amended by inserting the word "Water," after the word "entities:" in the first sentence.

Section 2. Paragraph A of Section 80-4 of the City Code shall be amended by inserting the following after number (5): "(6) Water Division: consisting of all managerial business required for the construction, repair, and maintenance of the water distribution system and its appurtenances owned by the City of Chicopee."

Section 3. Section 80-5 of the City Code shall be amended by adding the following new section: "(L) Supervise, direct and control all construction, alterations, repair and maintenance of the water distribution system, including all appurtenances thereto, owned by the City of Chicopee. All duties and powers previously vested in the Superintendent of the Water Department according to Chapter 269 of the Chicopee City Code shall hereby be assumed by the Superintendent of Public Works."

Section 4. Section 80-6 of the City Code shall be amended by adding the words "the Water Commission," after the words "In that regard," in the second sentence.

Section 5. Paragraph B of Section 80-8 of the City Code shall be amended by adding the words "Water Superintendent" immediately after the words "City Engineer" in the first sentence.

Section 6. Section 269-2 of the Water Department Ordinance contained in the City Code shall be amended by deleting the existing section 269-2 in its entirety and replacing it with the following new title and section:

#### 269-2 Deputy Superintendent of Public Works for the Water Division

The Deputy Superintendent for the Water Division shall, under the direction and control of the Superintendent of Public Works and as a Department Head within the Division structure consistent with Section 80 of the Chicopee City Code, have the charge and care of all new construction or extension and of all repairs and management of the works of said Division. He shall have authority to dig up the streets and highways, so far as is necessary for the purpose of paving and repairing lines of water pipe or water mains; but in all such cases the streets, while so dug up, are to be suitably protected and guarded, and after the work is finished, the streets shall be left in a condition satisfactory to the Superintendent of Public Works. All defects in highways or streets caused by leaks in water mains or pipes shall be repaired by the Superintendent of Water Department to the satisfaction of the Superintendent of Public Works. Upon receiving notice from the Chief of the Fire Department of any defective hydrant, said Deputy Superintendent shall cause the same to be repaired without delay. The Deputy Superintendent of the Water Division should issue a news release to the newspapers and place information on Chicopee Cable TV Channel 64 notifying residents of any scheduled maintenance that would result in their water being shutoff."

Section 7. The City Code shall be further amended by deleting section 269-3 in its entirety.

Section 8. The Board of Water Commissioners will no longer appoint a Superintendent of Water.

Section 9. Section 269-5 of the City Code shall be amended by deleting the entire section and replacing it with the following new section: "There shall be established the position of Engineer of the Water Department, who shall have charge of all records, plans and designs of the water distribution system, including all extensions and replacements. He shall make such reports and perform such other duties as the Deputy Superintendent of Public Works for the Water Division and the Board of Water Commissioners may prescribe."

Section 10. Paragraph B of Section 269-8 of the City Code shall be amended by deleting the paragraph in its entirety and replacing it with the following new section B:

"B. The work herein required to be done by the contractors, land developers, subdividers, real estate operators and home builders shall pay for the time of an inspector designated by the Deputy Superintendent, and said work shall be subject to acceptance by the Deputy Superintendent of Public Works for the Water Division.

Section 11. Paragraph A of Section 269-11 of the City Code shall be amended by adding the word "Deputy" after the words "The Mayor, with the" in the first sentence. This section shall be further amended by deleting the word "Department" after the words "Superintendent of Water" in the first sentence and replacing it with the word "Division". The first sentence in Paragraph A of Section 269-11 shall be read the following way forthwith:

"A. The Mayor, with the Deputy Superintendent of the Water Division and the Board of Water Commissioners, shall have the authority to declare a public emergency due to inadequate water supplies."

Kevin Corridan stated that the special legislation would amend the 1892 statute. By consolidating the departments the benefits would be; efficiencies, direction and control. He will redraft a special act and distribute to the City Council, Water Department and DWP for review.

Councilor Tillotson asked how much are we going to save by merging these departments? How is it going to be more cost efficient? He is not apposed to the change if it makes sense. If there's no cost savings to the city there's too many contradictions. If it's not clear to the City Council than there's no point in moving forward.

Councilor Moreau added there are too many questions to be answered.

Councilor Krampits stated he did receive several calls from residents stating that they did not want to see the two companies merged.

Councilor LaFlamme stated that sometimes merges can be good or bad. What are the cost saving to the city?

Stan Kulig added let's look at it generically. Operationally can it work? Can it benefit the city? The Water Dept. acts different than the DPW this can cause problems in the workforce. Are there obstacles sure but, those can be worked out. Final analysis – some kind of consolidation can be good for the city.

Robert Green stated that he's dead set against the consolidation. Under the DPW the water won't be the #1 priority. It's not broke it works very well the way it is. Go outside and get an independent Attorney. He does not see any benefits from this merge and would hope you shoot the ordinance down.

Mitchell Kuzdzal stated that consolidations are often labeled superficial entities. What are the cost savings going to be?

Al Pinciak stated that the Mayors' in the past have sat down and talked to the Commissioners. When they merged in Greenfield the cost did not go down, it went up creating another level of bureaucracy. This won't make any better water for the City of Chicopee. Is it going to make quality of life in Chicopee better? If not it should go in the waste basket.

Committee vote: 2 favorable 3 unfavorable. Voting in favor: Councilor Demers, Councilor Zygarowski. Voting unfavorable: Councilor McLellan, Councilor Moreau, Councilor Tillotson.

### **ITEM #3**

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

ADD: The Following 260-22

#### **260-22 PARKING PROHIBITED**

Non motorized vehicles (e.g. boats, trailers, campers) may not park on public streets for more than 48 hours.

Councilor Zygarowski questioned what happens after 48 hours? Once they get ticketed how long do they sit there?

Councilor Demers answer to Councilor Zygarowski's question, the police will be notified.

Councilor McLellan questioned what if someone is visiting?

Councilor Krampits answer to Councilor McLellan, if it's a winnebago it has the right to be on the street.

Committee vote 5 – 0 favorable.

### **ITEM #4**

BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and hereby is further amended as follows:

#### **Delete in its entirety Section 188-9**

#### **Replace Section 188-9 with the following**

##### **Dealers and keepers of shops for second hand articles.**

- A. No person, firm or corporation shall engage in the business of operating a shop for the purchase, sale or barter of secondhand articles without obtaining a license therefore and complying with the terms of this section. Licenses may be granted to suitable persons to be dealers in and keepers of shops for the purchase, sale or barter of secondhand articles.

Committee vote        5 – 0 favorable.

**ITEM #5**

ORDAINED THAT THE CITY COUNCIL, ACTING UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS AS AMENDED, THE CITY CHARTER, AND OF ANY AND EVERY POWER AND AUTHORITY IT THEREUNTO ENABLING, HEREBY AMENDS CHAPTER 275, SECTION 50 AS FOLLOWS:

A NEW CHAPTER 275 SECTION 50 b (1) (A) IS ADDED AS FOLLOWS:

(a) Size. Temporary signs may not exceed three feet by three feet in any zone.

CHAPTER 275 SECTION 50 B (1) (f) IS AMENDED BY ADDING THE FOLLOWING:

Notwithstanding the preceding, any temporary sign advocating for any political candidates may be placed no more than 30 days before any primary election.

Dan Garvey stated that all temporary signs have to be treated the same.

Councilor Zygarowski stated that everyone such as churches etc. would have to stick to a 3' x 3' sign. What it comes down to is enforcement.

Councilor Tillotson stated that he doesn't think he will get a lot of complaints about church signs.

Councilor LaFlamme questioned if they wanted a bigger sign why couldn't we look into special permits.

Councilor Krampits stated we need to keep it uniform.

Motion made to table. Motion passed.

**ITEM #6**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking-from\_the following in schedule:

(x)    VI        Parking Regulations

AS FOLLOWS:                    **CHICOPEE STREET**

West side for a distance of 35 feet at the corner of Chicopee Street and Warregan Street in front of 550 Chicopee Street

**NO PARKING HERE TO CORNER**

Committee vote        5 – 0 favorable

**ITEM #7**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking-from\_the following in schedule:

(x ) VI Parking Regulations

AS FOLLOWS: **SCHOOL STREET**

East side from Pleasant Street to South Street

**NO PARKING ANYTIME**

Committee vote 5 – 0 favorable.

**ITEM #8**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking from the following in schedule:

(x ) VI Parking Regulations

AS FOLLOWS: **EAST STREET**

South side. From a point 140 feet west of Southwick Street to Muzzy Street

**1 HOUR PARKING / ANY DAY**

Committee vote 5 – 0 favorable

**ITEM #9**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking from the following in schedule:

(Check Applicable)

(x ) XI One-Way Streets

AS FOLLOWS: **CIRCLE DRIVE**

From Central Avenue to Emmet Street

**ONE WAY STREET**

Committee vote 5 – 0 favorable

**ITEM #10**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking from the following in schedule:

(Check Applicable)

(x ) VI Parking Regulations

AS FOLLOWS: **EAST STREET**

From the corner of Muzzy Street for a distance of 50 feet

**PARKING PROHIBITED**

Committee vote 5 – 0 favorable

**ITEM #11**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking from the following in schedule:

(Check Applicable)

(x) VI Parking Regulations

AS FOLLOWS: **EAST STREET**

From a point 30 feet from Waite Avenue to a point 30 feet from Waite Avenue

**PARKING PROHIBITED**

Committee vote 5 – 0 unfavorable.

**ITEM #12**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking from the following in schedule:

(Check Applicable)

(x) VI Parking Regulations

AS FOLLOWS: **EAST STREET**

South side. In front of 166 East Street west for a distance of 60 feet

**15 MINUTE PARKING / ANY DAY**

Committee vote 5 – 0 favorable

**ITEM #13**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to ~~/striking from~~ the following in schedule:

(Check Applicable)



(x) VI Parking Regulations

AS FOLLOWS: **EAST STREET**

South side. From Muzzy Street to Southwick Street

**NO PARKING OR STANDING**

Committee vote 5 – 0 favorable

**ITEM #14**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to /striking from the following in schedule:

(Check Applicable)

(x) VI Parking Regulations

AS FOLLOWS: **EAST STREET**

North side. From Southwick Street to Muzzy Street

**15 MINUTE PARKING**

Motion made to table. Motion passed.

**ITEM #15**

BE IT ORDAINED by the City Council of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to ~~/striking from~~ the following in schedule:

(Check Applicable)

(x) Other (Indicate) **HANDICAP PARKING**

AS FOLLOWS: 18 Laurel Street  
Sign on Holly Street

**HANDICAP PARKING**

Motion made to table. Motion passed.

**ITEM #16**

Minutes – December 10, 2009

Motion made to approve. Motion passed.

Meeting adjourned at 8:05 PM.